

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17758 of 2006

25.8.2006

Between:

Dadde Prise, S/o.Malachi

... Petitioner

AND

The Mandal Revenue Officer (Rural),

Visakhapatnam

And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17758 of 2006

ORDER:

In purported exercise of powers under Section 4 of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity), the Mandal Revenue Officer (Rural), Visakhapatnam (MRO), passed orders against the petitioner ordering resumption of the land in possession of the petitioner for alleged contravention of the provisions of Section 3(2) of the Act. The petitioner assailed the same in W.P.No.10135 of 2006. This Court by order dated 30.5.2006, allowed the writ petition and remanded the matter to the first respondent directing to give an opportunity of hearing to the petitioner and pass appropriate orders. This Court also directed the first respondent to restore the land to the petitioner, who was directed not to alter the nature of the land or create any encumbrance. After issuing show cause notice and considering the explanation submitted by the petitioner, the first respondent passed orders in Rc.No.358/06/A, dated 17.8.2006 ordering resumption for alleged contravention of Section 3(2) of the Act. In this writ petition filed assailing number of grounds including the ground that there was no proper opportunity of being heard by the first respondent.

After making submissions for some time, having regard to the effective alternative remedy available under Section 4A of the Act, learned counsel for the petitioner only prayed for an order of *status quo* and liberty to approach the Revenue Divisional Officer, Visakhapatnam (RDO), by way of appeal. While disposing of the earlier writ petition, this Court ordered restoration of the land to the petitioner. Therefore, it is a fit case to order *status quo* as on today. Liberty is given to the petitioner to file appeal before the jurisdictional RDO, within a period of one week from the date of receipt of a copy of this order. The order of *status quo* shall be in force till that time. As and when such appeal is filed, the RDO shall consider the same and pass appropriate orders within a period of six (6) weeks thereafter.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

(V.V.S.RAO,J)

August 25, 2006.
YS